

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001) 03 MDL No. 1570 (RCC)
_____) ECF Case

This document relates to:

C.A. No. 03-CV-9849 (RCC)
THOMAS E. BURNETT, SR., *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*

**DECLARATION OF ALAN R. KABAT
IN SUPPORT OF DEFENDANT DR. ABDULLAH NASEEF'S
MOTION TO DISMISS THE THIRD AMENDED COMPLAINT**

I am an attorney licensed to practice in the District of Columbia and am admitted *pro hac vice* in this matter. I am with the law firm of Bernabei & Katz PLLC, counsel to Dr. Abdullah Naseef. I submit this declaration to transmit to the Court the following documents submitted in support of Dr. Naseef's motion to dismiss (Apr. 8, 2004) and his reply brief submitted in support of his motion to dismiss (June 23, 2004):

1. Exhibit 1 to Dr. Naseef's motion to dismiss is a copy of the Declaration of Abdullah Naseef (March 30, 2004).
2. Exhibit 2 to Dr. Naseef's motion to dismiss is a copy of P. Mendenhall, "Seeking bin Laden in the Classifieds," MSNBC, online at <http://www.msnbc.msn.com/id/3340393> (Oct. 24, 2003).
3. Exhibit 1 to Dr. Naseef's reply brief is a copy of U.S. Department of the Treasury, "Treasury Department Statement on the Designation of Wa'el Hamza Julidan," online at <http://www.treas.gov/press/releases/po3397.htm> (Sept. 6, 2002).
4. Exhibit 2 to Dr. Naseef's reply brief is a copy of U.S. Department of the Treasury,

“Treasury Department Releases List of 39 Additional Specially Designated Global Terrorists,” online at <http://www.treas.gov/press/releases/po689.htm> (Oct. 12, 2001).

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on July 23, 2004.

/s/ Alan R. Kabat

ALAN R. KABAT